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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10 JESUS RUELAS,) Case No. CV 12-5991 ODW (JCG)
11)
12 Petitioner,) **ORDER ACCEPTING REPORT AND**
13 v.) **RECOMMENDATION OF UNITED**
14 MR. LONG, Warden,) **STATES MAGISTRATE JUDGE AND**
15 Respondent.) **DENYING CERTIFICATE OF**
16) **APPEALABILITY**

17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, the
18 Magistrate Judge's Report and Recommendation, and the remaining record. No
19 objections to the Report and Recommendation have been filed.

20 Accordingly, IT IS ORDERED THAT:

- 21 1. The Report and Recommendation is approved and accepted;
22 2. Judgment be entered denying the Petition and dismissing this action
23 with prejudice; and
24 3. The Clerk serve copies of this Order on the parties.

25 Additionally, for the reasons stated in the Report and Recommendation, the
26 Court finds that Petitioner has not made a substantial showing of the denial of a
27 constitutional right. *See* 28 U.S.C. § 2253; Fed. R. App. P. 22(b); *Miller-El v.*
28 *Cockrell*, 537 U.S. 322, 336 (2003). Thus, the Court declines to issue a certificate

1 of appealability.

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3 DATED: March 25, 2014

A handwritten signature in cursive script, appearing to read "Otis D. Wright II", is written over a horizontal line.

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5 HON. OTIS D. WRIGHT II
6 UNITED STATES DISTRICT JUDGE
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